

AGENDA
North Miami City Council
776 N.E. 125th Street, 2nd Floor, Council Chambers
North Miami, FL 33161

REGULAR MEETING

TUESDAY, JUNE 24, 2014
7:00 P.M.

1. PLEDGE OF ALLEGIANCE

(Fabuola Pierre, North Miami Senior High School, Summer YOB intern)

2. INVOCATION

(Pastor Harvey Lockhart, First Church of North Miami- The United Church of Christ)

3. JULY 4TH SPECIAL PRESENTATION

4. CALL TO ORDER / ROLL CALL OF MEMBERS

5. ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

6. SPECIAL PRESENTATION(s)

- ◆ Recognition of *FIU's first Generation Scholars, Take Stock in Children, and the North Miami Educational Foundation, Inc.*
- ◆ Annual Audit Report & Comprehensive Annual Financial Report (CAFR) by *Harvey, Covington & Thomas, LLC, Independent Certified Public Accountants Firm*

7. CITY EVENTS – ANNOUNCEMENT

8. HURRICANE PREPAREDNESS

- ◆ Projection for this Hurricane Season by *Robert Molleda, Meteorologist, National Oceanic and Atmospheric Administration (NOAA)*

9. CONSENT AGENDA

UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH B CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:

“...THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH B BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – June 10, 2014

Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGENCY AGREEMENT WITH MIAMI-DADE COUNTY, IN SUBSTANTIALLY THE ATTACHED FORM, TO ALLOW THE CITY TO PERFORM TRAFFIC ENGINEERING FUNCTIONS PERTAINING TO THE INSTALLATION AND MAINTENANCE OF TRAFFIC CALMING DEVICES ON CITY STREETS, IN ACCORDANCE WITH SECTION 2-96.1, MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Wisler Pierre-Louis, Public Works Director

10. PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.

10.A. RESOLUTIONS

[TAB C]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND R.J. BEHAR & COMPANY, INC., AS THE CONSULTANT FOR THE PROVISION OF CIVIL ENGINEERING SERVICES REQUIRED FOR THE WATERLINE DESIGN AND CONSTRUCTION PROJECT ALONG NORTHEAST 16TH AVENUE, NORTHEAST 146TH STREET AND NORTHEAST 18TH AVENUE, IN ACCORDANCE WITH REQUEST FOR QUALIFICATIONS NO. 38-09-10 CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES, IN THE AMOUNT NOT EXCEED ONE HUNDRED SEVENTEEN THOUSAND FIVE HUNDRED EIGHTY-SEVEN DOLLARS AND THIRTY-SEVEN CENTS (\$117,587.37); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Wisler Pierre-Louis, Public Works Director

[TAB D]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; APPROVING AND AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT AND PRECISE PLAN FOR THE PROPOSED EXPANSION AND REDEVELOPMENT OF THE CITY OF NORTH MIAMI WINSON WATER TREATMENT PLANT, IN ACCORDANCE WITH ARTICLE 3, SECTION 3-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D and Zoning Manager

[TAB E]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; APPROVING THE ALLOCATION OF TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$2,700,000.00) TOWARD THE CREATION OF THE 2014 SINGLE FAMILY BEAUTIFICATION PROGRAM; WITH PHASE ONE OF THE PROGRAM ENDING THIS FISCAL YEAR UTILIZING EIGHT HUNDRED THOUSAND DOLLARS (\$800,000) FROM THE DISTRICT THREE (3) CAPITAL IMPROVEMENT ALLOCATION AND THE REMAINING ONE MILLION NINE HUNDRED THOUSAND DOLLARS (\$1,900,000.00) WILL BE IDENTIFIED AND ALLOCATED IN THE 2014/2015 FISCAL YEAR BUDGET FOR PHASE TWO OF THE PROGRAM; AND FURTHER APPROVING THE GUIDELINES FOR THE BEAUTIFICATION PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D and Zoning Manager

[TAB F]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; APPROVING AN AMENDMENT TO THE HOUSING PROGRAM GUIDELINES TO ESTABLISH AN APPLICATION TIME PERIOD FOR HOUSING ASSISTANCE AND TO ELIMINATE THE EXISTING WAITING LIST; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D and Zoning Manager

[TAB G]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE NOMI EXPRESS TRANSIT SERVICE - TITLE VI PROGRAM PLAN, IN ACCORDANCE WITH TITLE VI, 42 U.S.C. § 2000D, CIVIL RIGHTS ACT OF 1964, AS REQUIRED FOR THE CITY OF NORTH MIAMI TO RECEIVE FEDERAL PASS-THRU FUNDING FROM MIAMI-DADE TRANSIT (MDT); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Lumane Pluviose-Claude, Deputy City Manager

10.B. LEGISLATIVE MATTERS – [NONE]

10.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING

[TAB H]

PROPOSED ORDINANCE (*SECOND READING*) OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED “ALCOHOLIC BEVERAGES,” BY AMENDING SECTION 3-10, ENTITLED “HOURS DURING WHICH SALES ARE ALLOWED; CONSUMPTION,” TO MODIFY THE HOURS DURING WHICH SALES AND CONSUMPTION OF ALCOHOLIC BEVERAGES ARE ALLOWED ON SUNDAY; PROVIDING FOR REPEAL,

CONFLICTS, SEVERABILITY, CODIFICATION, AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Councilman Scott Galvin

10.B.2. ORDINANCES – FIRST READING

[TAB I]

PROPOSED ORDINANCE (***FIRST READING***) OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 12 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “NUISANCES” TO ENHANCE CURRENT PROVISIONS FOR THE ABATEMENT OF PUBLIC NUISANCES; INSERTING ARTICLE III, ENTITLED “ABANDONED REAL PROPERTY REGISTRATION” FROM CHAPTER 5; CREATING ARTICLE IX, ENTITLED “SQUATTERS” BY DECLARING SQUATTING AS A PUBLIC NUISANCE WITHIN THE CITY OF NORTH MIAMI AND ESTABLISHING REMEDIES FOR ADDRESSING SQUATTERS; AND FURTHER PROVIDING FOR THE RELOCATION OF ARTICLE V ENTITLED “BURGLAR ALARMS” TO CHAPTER 13 OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Sponsored by: Councilwoman Carol Keys, Esq.

[TAB J]

PROPOSED ORDINANCE (***FIRST READING***) OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 5 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “BUILDING STANDARDS AND REGULATIONS” TO INCLUDE PROVISIONS FOR MAINTENANCE OF PROPERTY, LANDSCAPING, WALLS, FENCES, AND EXTERIOR PROPERTY AREAS; CREATING A LANDLORD REGISTRATION PROGRAM; AND PROVIDING FOR THE RELOCATION OF ARTICLE VII ENTITLED “ABANDONED REAL PROPERTY REGISTRATION” TO CHAPTER 12 OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

Sponsored by: City Administration

Responsible Staff Person: Fritz Armand, Building & Minimum Housing Director

[TAB K]

PROPOSED ORDINANCE (***FIRST READING***) OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 15 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “PENSIONS AND RETIREMENT”, UNDER ARTICLE III ENTITLED “CLAIR T. SINGERMAN EMPLOYEES RETIREMENT SYSTEM; ORD. NO. 691”, SPECIFICALLY AT DIVISION 4, SECTION 15-80 ENTITLED “ELIGIBILITY GENERALLY”, TO ALLOW THE CITY MANAGER TO JOIN (OR TO REMAIN IN) THE CLAIR T. SINGERMAN EMPLOYEES RETIREMENT SYSTEM, AT THE OPTION OF THE CITY MANAGER; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

Sponsored by: City Administration

10.C. QUASI-JUDICIAL ITEM(s) – [NONE]

11. REQUESTS – PETITIONS – COMMUNICATIONS

[TABLE]

TO SELECT A “MUNICIPALITY VOTING DELEGATE” TO REPRESENT THE CITY OF NORTH MIAMI AT THE 88TH ANNUAL CONFERENCE OF THE FLORIDA LEAGUE OF CITIES, AUGUST 14-16, 2014

Sponsored by: Aleem A. Ghany, City Manager

12. CITIZENS’ FORUM

13. COUNCIL REPORTS

Vice Mayor as Acting Mayor Philippe Bien-Aime
Councilwoman Carol Keys, Esq.
Councilman Scott Galvin
Councilwoman Marie Erlande Steril

14. CITY CLERK’S REPORT

15. CITY ATTORNEY’S REPORT

16. CITY MANAGER’S REPORT

17. ADJOURNMENT

- THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12142.
- IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL N FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED MAY CONTACT THE TDD LINE AT (305) 893-7936. ANY DECISION MADE BY THE CITY OF NORTH MIAMI CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.
- AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.
- IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK’S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.
- TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING.
- THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

ALCOHOLIC BEVERAGE SYMBOLS

- 1-COP Beer only, Consumption on Premises
- 2-COP Beer and Wine, Consumption on Premises
- 4-COP Beer, Wine and Alcohol, Consumption on Premises
- 1-APS Beer, Package Sales Only
- 2-APS Beer and Wine, Package Sales Only
- 3-APS Beer, Wine and Alcohol, Package Sales Only

ZONING SYMBOLS

- R-1 Residential Estate District
- R-2 Single-Family District
- R-4 Multi-Family District
- R-5 Multi-Family District
- R-6 Multi-Family District
- RO Residential Office District

ZONING SYMBOLS (continue)

- C-1 Commercial District
- C-3 Commercial District
- C-2BE Commercial District
- C-2BW Commercial District
- M-1 Industrial District
- PU Public Use District
- PD Planned Development District
- AOD Arts, Culture and Design Overlay District
- NRO Neighborhood Redevelopment District